

DEMANDS FOR GRANTS—(contd.)

DEMAND V—EXCISE DEPARTMENT.—Rs. 5.15 LAKHS.

MR. A. J. VAN ROSS (*Excis Commssioner*): Sir, I rise to move for a grant not exceeding Rs. 5.15 lakhs under Demand V—Excise Department,

3A. SALT—SALT FACTORIES.

Motion 168.

The following motion was deemed not to have been moved as the member was absent:—

MR. M. SIVATANU PILLAI:

168. To reduce the allotment of Rs. 6,540 for Inspectors by Rs. 100.

Motions 169 to 171.

The following motions were not moved:—

MR. T. KUMARA PILLAI:

169. To reduce the allotment of Rs. 44,755 for Salt Factories by Rs. 100.

MR. K. P. NILAKANTA PILLAI:

170. To reduce the allotment of Rs. 98,355 for Salt by Re. 1.

MR. T. KUMARA PILLAI:

171. To reduce the allotment of Rs. 98,355 for Salt by Rs. 100.

4A. EXCISE COMMISSIONER.

Motion 172.

The following motion was deemed not to have been moved as the member was absent:—

MR. A. K. PILLAI:

172. To reduce the allotment of Rs. 17,122 under establishment by Rs. 10.

Motions 173 to 176.

The following motions were not moved:—

MR. K. MADHAVAN PILLAI:

173. To reduce the allotment of Rs. 18,982 for establishment by Rs. 100.

MR. K. MADHAVAN PILLAI:

174. To omit the allotment of Rs. 500 for Law charges.

MR. G. RAMAN MENON:

175. To reduce the allotment of Rs. 1,200 for office expenses and miscellaneous by Rs. 200.

MR. K. K. THOMAS:

176. To reduce the allotment of Rs. 42,263 for Commissioner by Re. 1.

Motion 177.

The following motion was deemed not to have been moved as the member was absent:—

MR. M. SIVATANU PILLAI:

177. To reduce the allotment of Rs. 42,263 for Commissioner by Rs. 100.

Motion 178.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): I beg to move the following motion:—

178. To reduce the allotment of Rs. 42,263 for Commissioner by Rs. 100.

[Mr. K. I. Joseph.]

In the course of the general discussion, it was said by the Excise Commissioner that his department is a temperance department. In one sense, I can understand that it is a temperance department. So far as it restricts the freedom of individuals to manufacture and traffic in liquor, it is a temperance department. But the working of the department, I must say, is far away from the ideals of temperance policy. The first and foremost duty of the Excise Department, whether from the standpoint of revenue to the Government or of temperance, is to stop illicit tapping and trade. The Excise Commissioner may explain that the department is trying to remedy these evils. But I may say that if his subordinate officers are vigilant, it is not at all difficult to stop completely these things. There are very many Inspectors, Sub-Inspectors, Petty officers and peons employed for this purpose in his department. Further, illicit tapping and trade are not things taking place only occasionally here and there. They are regularly going on in several parts of the country and all the year round. If the subordinate officers are vigilant, it is not at all difficult for them to find them out. I may state that, in connection with the temperance movement in some parts of the country, the temperance workers have been able, without much trouble and in a short time, to find out these things. It is necessary that the Excise Commissioner should see that the subordinates are doing their work properly. This Council should not vote a single pie for the Excise Department unless these people are vigilant, doing their duties properly. Any amount of explanation will not satisfy us if the duties are not properly discharged. So much as regards illicit trade and tapping.

Another point is about the location of shops and the number of shops. It has been stated, no doubt, in the last Administration Report that some shops have been abolished. But it is admitted at the same time that the number of trees tapped is on the increase and the quantity of consumption is also on the increase. While the quantity of consumption and the number of trees tapped are on the increase, I do not understand the meaning of saying that some of the shops are abolished. If in some mountainous and inaccessible regions shops are abolished, it will not affect the people very much. The Excise Commissioner must abolish shops that are located in towns and other frequented quarters. No such shops seem to have been abolished. I may cite for instance the shops in Minachil. There are some shops situated very near the Palai *angadi* itself. One of them is very near the school and the hospital. All these shops are within a radius of two or three furlongs from the *angadi*. None of these shops has been abolished. But it seems a shop situated in a remote and inaccessible quarter at Melukkavu has been abolished. If the policy of the department is to abolish shops for the purpose of checking the evil of drink, it is very necessary that the shops in thickly populated places should be abolished; it is not enough if a few shops in remote hilly places are abolished. To comply with our request for reducing the number of shops and the removal of some from their present site, the Commissioner, it is said, has ordered to remove one shop. But, it seems that

it is to be located in a place which is more frequented. I refer to the shop just in front of the Lalam District Hospital and the High School building there. Mr. Van Ross personally inspected the place and I am very thankful for his having taken the difficulty of understanding the situation. Another instance I may cite in the very centre of the Trivandrum town itself. I believe most of the members are aware that one of the very frequented arrack shops is located very near the main road just at the entrance to the College lane on the Statue Road. There were several complaints to remove that shop from there, and the Commissioner has taken a very ingenious plan to do so by ordering its removal to a place a few yards to the south of its present site, *i. e.*, at the entrance to the lane leading to the Pulimood.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I ask whether the member knows whether final orders have been passed on the complaints?

MR. K. I. JOSEPH (*Minachil cum Devicolam*): I am not aware. But it is said that the shop is to be located a little to the south of the present site. This is all that I know. The respectable persons of the locality have requested that the shop should not be allowed to be anywhere near the present site.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I tell the member that the petition is under enquiry?

MR. K. I. JOSEPH (*Minachil cum Devicolam*): The proposed site is also very near the existing one. The Commissioner has to see what substantial purpose it serves by making such change in location. There are several other shops also in the Trivandrum town which are located in very busy parts of the town. If he has any idea of abolishing shops, he can abolish these shops. In Pettah, very near the church, there is a shop.

MR. A. J. VAN ROSS (*Excise Commissioner*): I would correct the member. The shop is quite two furlongs away from the church.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): I have not measured the distance. But anybody passing through that road can understand that it is very near the church.

MR. A. J. VAN ROSS (*Excise Commissioner*): We have measured it.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): As regards the policy that has been adopted in regard to the location of shops, I must say that it is not at all laudable. The Commissioner does not go into the spirit of the complaints of the people. He wants only to make a show of compliance with their request. Of course, I can understand that Mr. Van Ross's position as Excise Commissioner is a very difficult one. He is unfortunately at the head of a department which deserves condemnation. As regards the explanations he has given, they are very unsatisfactory. I would wait for further explanation from Mr. Van Ross before making further comments.

MR. A. J. VAN ROSS (*Excise Commissioner*) : Sir, the member began by speaking of the inadequate preventive work turned out by my men. He instanced the prevalence of illicit tapping in various places and he mentioned Minachil in particular. In the same breath, he said there was an increase under tree-tax. Now, an increase under tree-tax can result only from the suppression and detection of illicit tapping. The principle is that the more the tree-tax we get, the less of illicit tapping there will be; and the less of tree-tax, the more of illicit tapping there will be. I do not claim that illicit tapping has been suppressed completely. But I can claim that much of the illicit tapping has decreased. After all, we must consider what is the staff at our disposal to put down illicit tapping. In the Nagercoil range, for an area of 251 square miles, I have 27 men to put down illicit tapping; in the Kalkulam range, for an area of 229 square miles, we have 17 men; in Vilavankod, for an area of 167 square miles, we have 10 men; in the Trivandrum town, for an area of 97 square miles, there are 20 men, including an Inspector and two Sub-Inspectors; in the Neduvangad taluk, for an area of 366 square miles, we have 14 men; and for Minachil, for an area of 236 square miles, we have 23 men. On the average, we have 15 men per range.

MR. K. I. JOSEPH (*Minachil cum Devicolum*) : Has the Excise Commissioner asked the Government to sanction more men?

MR. A. J. VAN ROSS (*Excise Commissioner*) : How can I ask for more men when the cry in this Council is to reduce men. It will look ridiculous.

MR. K. I. JOSEPH (*Minachil cum Devicolum*) : Has he ever brought forward this aspect of the question before the Council?

MR. A. J. VAN ROSS (*Excise Commissioner*) : I have explained that in detail in my speech before the Council in the year 1098.

What can we do with 15 men? Nevertheless, we are doing our best. I will give you figures to show the advance in the work of detection made by the present staff. In 1095 the number of cases detected was 1,183; in 1096, 1,255; in 1097, 1,337; in 1098, 1,546; in 1099, 1,887; and in 1100, 2,572. These figures will show that with the force at my command we are making steady progress. I must also bring to your notice, Sir, that, to some extent, the allegation that the subordinate staff sometimes connive at illicit practices is true. It is not possible for the Excise Commissioner or the Assistant Excise Commissioner to be behind the back of every Petty Officer or peon. The subordinates are after all sons of the soil. And it is with this material that we have to work. I am not importing men from outside in my department. If men of our country act like this, it is clear that the moral standard in the country calls for improvement. In the meanwhile, I can only punish those who shirk work or are dishonest. Whenever we get evidence of such connivance, it is met with heavy punishment. It is not possible in all cases to get proof or even to arrive at a moral conviction. In 1100 I have punished 100 officers and in 1101, I have punished 118 officers. There must be some moral conviction at least before punishing a man. Mere official suspicion will not do.

I punish when I find sufficient proof. At a time when officers had a sort of fear of the Government, such fear kept them in check to some extent. But the fear has to a great extent diminished in the present democratic days. I advise them and counsel them, and where I get proof of their misconduct, I punish them. But I rely more upon good counsel. They turn out much better work more under good counsel than under fear.

As regards the location and number of shops, the member said that I reduced shops in out-of-the-way places and not in thickly populated towns. Some shops which were reduced might have been situated in out-of-the-way places, but a large number of shops in thickly populated places were reduced. Shops to the value of Rs. 30,000 were reduced. One shop near Vanchiyur was abolished, which cost us Rs. 3,000. In the Kottayam town, about 6 shops were abolished. I have undertaken with the Excise Committee to abolish 5 per cent. of the shops at every biennial contract. So that, a little patience on the part of the member will enable him to see that shops in towns are being gradually abolished. I have begun with the taluks which have the largest number of shops. In the taluks in which the independent shop system was newly introduced, there are a large number of shops and hence larger reductions were effected in those tracts. In reducing shops, I adhered to the 5 per cent. rate. And I would adhere to that rate until a time comes when we will have to decide whether further reduction is beneficial or not. At present, I have material to go on for a few years.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): May I ask the Excise Commissioner whether he is willing to abolish shops in places where the people are for abolishing them?

MR. A. J. VAN ROSS (*Excise Commissioner*): It is a difficult question to answer. It is difficult to know whether the people are willing or not. A few young men try to impose their will on elderly people. Is it public opinion? We must see whether it is a practical proposition. Whether a large body of drinkers who used to drink for 40 and 50 years would stop drinking immediately, is the question. I know, in Minachil, the movement, though large, was mainly confined to young men. They tried to impose their will upon the elderly people and asked the people not to go and bid for shops at the auction sale. But the result was that the room where the auction was held was full. The people took advantage of the position and offered low bids.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): May I ask him if he is willing to abolish the shops if 75 per cent. of the people of a *paku-thi* request him in a signed petition to do so?

MR. A. J. VAN ROSS (*Excise Commissioner*): I would still not be satisfied. It is well known that it is very easy to get people to sign. You take a list and go round, and the people will sign it whether they are willing or not. The same thing took place in Colombo where most of the village headmen are Buddhists. A referendum took place some time ago and the headmen compelled the people to vote against the retention of the shops.

MR. N. V. JOSEPH (*Parur*): May I ask whether the Government would like to have a referendum?

MR. A. J. VAN ROSS (*Excise Commissioner*): We can have a referendum provided it is done in a satisfactory manner. If compulsion and coercion are used, people will sign the petition, but act in a different way. In Minachil, several shop-holders who had promised the temperance workers not to take up shops saw me and told me: "I am sending a proxy, please give the shop to him." So, in these matters, we must ascertain the general trend of the opinion of the people. From the auction at Minachil, I would say that the people are not for abolishing the shops. The auction room in Minachil was full of bidders.

I enquired about the movement started at Minachil and I found that the movement was well intentioned but its method was objectionable. The people who started the movement want to reach the ideal at once. We are living in the work-a-day world. In these matters, we must have infinite patience and we must also be prepared to work hard to reach the goal. It is therefore that I claim that my department stands for temperance. We are not impatient idealists. We do not want to reach our goal all on a sudden. We are working steadily and continuously day and night to reach our goal, that is, to keep the drink habits in check; and gradually, with the advance of education and culture and refinement among the people, the drink habit among the people may become extinct. Unless the general body of the people are prepared to see the evils of drink and are prepared to give it up, it is useless for the Government to retire and lose all revenue while people will be going on drinking. Where education has advanced, they give up drink to a large extent. Travancore has advanced in education and it augurs well for the attainment of our object. With the advancement of education and refinement, those who drink will give up the habit to a great extent. But I do not anticipate that drink will entirely disappear. As for the movement in Minachil, I have enquired about the genesis of the movement. I have found that there are a few drunkards who molest people in out-of-the-way places. I asked the organisers of the movement whether they reported the matter to the Police. They said that nobody did so, because there were no Policemen there. After all, toddy is not entirely an intoxicant. There is a good deal of nourishment in it. Out of 100 parts, alchahal forms only 10 parts and the other parts are albuminoids, water and sugar.

With regard to the location of shops, I am taking the greatest care. In rural areas, if the people object to the location of a shop in a particular locality, we try our best to shift it. Even in towns, wherever we get an opportunity, we do that, but it is difficult to get sites.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): As regards the trees tapped, are they not generally near the shops concerned?

MR. A. J. VAN ROSS (*Excise Commissioner*): Yes. Ordinarily they are tapped within the scheduled limits. When there are no trees near by, we are obliged to give permission outside the scheduled limits.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): Even though the number of shops may be many, since the places where the trees are tapped are very near the shops, is it impossible for these men to find out illicit tapping?

MR. A. J. VAN ROSS (*Excise Commissioner*): It does not take place within the scheduled limits. But it takes place far away from places where shops are situated.

MR. N. V. JOSEPH (*Parur*): The question raised by my friend Mr. Joseph is an important and difficult one. I understand that this motion has been brought to discuss the working of the abkari branch with special reference to the temperance movement. Two important charges have been levelled against the department. One is that the illicit tapping is not properly controlled or checked by the subordinates of the department and the other is that shops should not be located in public places. Drink has been admitted by all as a great evil and there are three courses left for both the Government and the people to adopt. One is absolute prohibition, that is, by coercing with the might of Government to stop the manufacture and sale of liquor in the country. Another is to leave to the people the manufacture and sale of drinks. The third is to regulate the drink with a view to moderation which is otherwise generally called temperance movement. I do not believe that whatever we may say, the Government will be able to regulate traffic with a view to moderation. The only possible way for the Government is to declare absolute prohibition. But whether it is possible and feasible under the present conditions of the State, is a serious problem to solve.

MR. K. I. JOSEPH (*Mianchil cum Devicolum*): May I know whether the Government cannot reduce the opportunity and facility for drinking?

MR. N. V. JOSEPH (*Parur*): I am coming to that. Then the question is whether the drink began in the land with the introduction of caste system or was introduced by the Government or whether it was the Government that took advantage of this evil habit of the people. In my opinion, drink was there before the Government came. So, if the Excise Department is responsible for the drink and if it is also responsible for the existence of the shops, I should think that it is almost due to the drinking habit of the people, which is a social evil here. We can find that it could be explained with reference to caste system. We find that men of higher castes do not take to this bad habit generally.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I know from the member whether members of lower castes who are educated take to drink?

MR. N. V. JOSEPH (*Parur*): I shall explain that. Therefore, we must conclude that it is more or less a habit to particular castes or communities who have a tendency to drink. Therefore, the work of temperance movement among them is one which cannot come from the Government, but from the people themselves.

MR. N. KUMARAN (*Nominated*): Does the member know that members of uneducated communities alone drink?

MR. N. V. JOSEPH (*Parur*): Not exactly uneducated communities. I will explain my position. If we observe carefully we can find that, in India, drink is a social disgrace, but it is not the case in Europe. If you find that a Brahmin and a Christian drink, we form quite a different opinion of the Brahmin. We say that it is a disgrace for a Brahmin to drink, but in the case of a Christian, we do not ascribe so much disgrace to him.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): May I know from the member whether there is any caste system among Christians?

MR. N. V. JOSEPH (*Parur*): The Christians in Malabar may be proclaiming to the world that they do not belong to any caste. But recognising facts as they are, I believe that they have a place in the social system and that they have a habit which could very well be observed, in several grades of the caste system in Travancore beginning from the Brahmin and going down to the Pulaya. But I am not very particular to ascribe a place; somewhere he has a place. He has also got a caste habit and a social habit in Malabar. So the temperance movement is one which has to be undertaken by the people themselves and it is not one which we should ask the Government to undertake. Now, the question can be put in another way. Suppose the Government take their hand away and leave it to the people freely to manufacture and sell liquor. Then what will be the condition? That is also a problem that we have to consider. If that is done, the people will be manufacturing more liquor and hence there will be more consumption in Travancore. So, but for the Government, it is not possible to regulate drink. As a Japanese proverb goes, a man takes a dose, and one dose takes another and the last dose takes the man. So I would say that people themselves should regulate it. In that sense, I may also agree with Mr. Van Ross that his department is a temperance department. I would also state that there is no middle way between absolute prohibition and the free manufacture and sale of liquor to the people.

I wish to say a few words about the location of shops and I myself have tried to do some thing in the matter. We have got at Parur three or four shops just on the side of roads. In the evenings some of us used to take a round along these roads and the effective result was that the shop-keepers approached the Excise Department and said that they did not require those shops as the sale of liquor went down and that those shops should be removed to some less open places.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I know from the member whether any shop was removed from its place?

MR. N. V. JOSEPH (*Parur*): No; it was not. We moved everywhere and used our influence, but no one would lend a place.

PRESIDENT: Time.

MR. N. KUMARAN (*Nominated*): I find the following sentences in the G. O. passed upon the working of the Excise Department for 1900.

"The year was characterised by an allround increase in the consumption of arrack, foreign liquor, opium, ganja and tobacco and in the number of trees tapped for toddy. The consumption of arrack rose by 6,525 proof gallons, foreign liquor 449 gallons, opium and ganja by 63 seers and 766 seers respectively and tobacco 49 candies. The number of trees tapped for toddy increased by 38,417 cocoanuts, 656 palmyra trees and 3,581 sago palms. The increase was mainly due to the larger area brought under the tree tax system".

With this certificate, it seems to me that Mr. Van Ross' claim that his department is a true temperance department requires more than a passing reference.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I ask the member if he knows why there was increase in the number of trees tapped?

MR. N. KUMARAN (*Nominated*): I am not speaking about it.

MR. A. J. VAN ROSS (*Excise Commissioner*): May I ask the member whether he knows the reasons for the increase in the number of trees tapped?

MR. N. KUMARAN (*Nominated*): The Excise Commissioner may say whatever he wants at the time when he is replying.

MR. A. J. VAN ROSS (*Excise Commissioner*): I only wanted if the member knows the reason for the increase in the number of trees tapped.

MR. N. KUMARAN (*Nominated*): The two points that were urged in this House were that the Excise Department is not administering and enforcing certain rules for preventing illicit tapping and also with respect to location of shops in public places. On a former occasion, a question was asked in this Council and a reply was given by the Government which would show that 224 of the arrack shops and 385 of the toddy shops were near public roads, 35 arrack shops and 46 toddy shops near markets, 28 arrack shops and 34 toddy shops near schools and 75 arrack shops and 49 toddy shops near places of public worship. Under the rules laid down by the Government, the toddy and arrack shops should not have been located near these public places. Mr. N. V. Joseph expressed the doubt whether it would be advisable to remove these shops from public places. He doubted whether it would not be more conducive to effect temperance if these shops are located near public roads, so that people would be afraid of approaching these shops and have a drink. My fear is that a department which is working on a temperance basis should not expose its wares to the public so that it might afford some sort of encouragement for the people to go and have a drink. It cannot be denied that this business is not a very decent one which the Government can encourage or the public look on with satisfaction. Therefore it should recede itself into places which are not public, as it affords great inducement to people to go in and have a drink if it is located near a market-place or a place of public worship, where a large number of people gather. It is with a view to avoid such things that rules were laid down that these shops should not be located near public places and I do not know whether any change has been introduced by the Government after the answer I have already referred to was given, in the matter of removal of these shops from objectionable places. Any action of the Excise Department in this direction would have been considered by this Council as a step towards effecting temperance.

[Mr. N. Kumaran.]

Then it has been pointed out by the Excise Commissioner that he has been reducing the number of shops and I should like to know whether any important shop which has been securing a large revenue to the State has been abolished.

MR. A. J. VAN ROSS (*Excise Commissioner*): I mentioned a big shop abolished in Trivandrum town itself.

MR. N. KUMARAN (*Nominated*): I should like to know the amount realised from those shops.

MR. A. J. VAN ROSS (*Excise Commissioner*): The shop was worth about Rs. 3,000.

MR. N. KUMARAN (*Nominated*): It may be so. But my suspicion is that a great number of shops, shops which might have been getting a very big revenue, have not been abolished. I find on calculation that there is a toddy shop in Shertallai taluk for almost .99 of a mile, so that—

MR. A. J. VAN ROSS (*Excise Commissioner*): Sir, I do not follow what the member says.

MR. N. KUMARAN (*Nominated*): For every .99 of a mile in Shertallai, we have got a toddy shop, so much so that a person who wants to drink will not find it difficult to do so. He has only to walk up four furlongs, on account of the shortness of distance at which shops have been located. I beg to submit that such a state of affairs is not conducive to the growth of temperance in society.

Then, with respect to the question of illicit tapping, in answer to an interpellation in a previous session of the Council, the Government stated that 3,688 trees in 1927 and 5,000 odd in 1928 were not marked until the end of Tulam. This leads to serious malpractices. If these trees are not marked, there is no knowing whether all the trees tapped are applied for and illicit tapping is not going on there. Mr. Van Ross was giving us figures to show that there was no increase in the number of trees for tapping which applications had been made. I believe that only shows that there has been an increase in the number of illicit tapping cases and therefore increased detection, was the result. It does not certainly follow that since remarkably large number of cases of illicit tapping have been discovered, there has been a reduction in the number of trees illicitly tapped. I believe if the rules laid down by the Government are strictly followed by the department itself, there would have been a real decrease in the consumption of liquor as well as in illicit tapping. With these observations, I support the motion.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): When I introduced this motion, I thought I could ascertain the sense of the House, at least the sense of the non-official members thereof. I do not know whether it is due to the spirit of non-co-operation or that of over-co-operation that I have not been able to ascertain their views on the matter. Anyhow, I must say that I am not completely satisfied with the explanation given by the Excise Commissioner. As regards the

question of illicit tapping, I understand that there are difficulties in the way of completely checking it. But I am sure that, if the officers are more vigilant, they can exercise much more effective check than they are exercising at present. In the matter of the location of shops, the Excise Commissioner assures us that he is doing all that he can and that he will continue to do so. But at present, the matter is entirely in the hands of the Government or rather the Commissioner. My own view is that, in this matter, it is the people that should have the control and not the Government. Generally, the Excise Commissioner decides such questions on the reports submitted to him by some Assistant Commissioner or other subordinates.

MR. A. J. VAN ROSS (*Excise Commissioner*): Also on local inspection.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): Anyhow, I say it is a matter of vital importance so far as the people are concerned, and it is they that are more interested in this than the Government themselves. The Government may view the question only from the standpoint of their revenue, but the evil that it works on society deserves very serious consideration. If the Excise Commissioner will assure me that in the matter of location of shops, the wishes of the people of the locality concerned will be considered, I shall be satisfied. Until then, I am not in a position to withdraw my motion. I do not mind much about the methods by which the opinion of the people is ascertained. Somehow or other, the sense of the people of the locality must be ascertained and the Commissioner must locate shops only in accordance with their wishes. If the people object to any shop being located in any particular locality, the shop should not be located there. The Excise Commissioner may, if necessary, take a referendum of the whole people of the place or may take the opinion of the voters of the Legislative Council of the locality or he may ascertain the opinion through the Council members or Assembly members in the locality. I am sorry that the Excise Commissioner has not found it possible to assure me that the shops will be located only in places where the people are for them and that he will abolish the shops in places where the people are against them. If he gives me an assurance in this matter, I am prepared to withdraw my motion and if not, I am inclined to press it to the vote of the House.

MR. A. J. VAN ROSS (*Excise Commissioner*): Sir, with regard to Mr. Kumaran's observation, I might say that, in my speech during the general discussion on the budget, I referred to the increase in the consumption in arrack. I said then that it will not be giving a correct idea if we take for comparison the consumption in the State in one particular year, as the consumption is regulated by several economic conditions. So, to ascertain the effect of the policy of the department, one has to look to the results obtained during a reasonable period, say a decade. I said that the consumption of arrack has been reduced by 50,000 gallons in the course of ten years. That amounts to about 3 lakhs of bottles of arrack. That, I think, is an achievement for which I claim some recognition from the member. Of course, from one year to the

[Mr. A. J. Van Ross.]

next, there may not be any appreciable difference and, in some cases, there might be slight increase also. That is because of the changing condition of the people or some other temporary cause. We should not draw any inference from that. We have to look to the result after a long period, say ten years.

With regard to the increase in tree-tax, I must point out that the large increase is due to four taluks, Vaikam, Shertallai, Kunnatnad and Parur, having been brought under the Independent Shop System. The number of trees tapped in these taluks was not shown in the previous years since they were under an abkari renter. These taluks having been brought under the department, the number of trees tapped is shown in the accounts and there is the reason for the apparent increase. I do not think that it is right to draw any adverse inference from that circumstance.

As regards the detection of cases, it is clear that the more you detect, the less will be the offences committed. The fact that a large number of cases has been detected is an argument in favour of the officers. Certainly, the detection and punishment of offenders will have a deterrent effect on the offenders. If, in spite of the detection, there is no deterrent effect, that is entirely due to the inadequate punishments awarded. There are several magistrates who look upon these excise cases as mere nuisance cases to be shunted off with a fine of 8 annas or one rupee. Even if we have a large number of convictions, the results will not be satisfactory because of the light punishments.

As for the location of shops, I may assure Mr. Joseph that every consideration will be shown to the views of the people. As far as possible, we will try not to cause any inconvenience to the people. The difficulty, as I said, is to get suitable sites. In fact, in the case of the shop which Mr. Joseph particularly referred to, I am trying my utmost to find out a suitable place where it could be conveniently located. It is a shop which has a very large custom and is worth four or five thousand rupees. We will have to keep it where we have it at present till we get a better site.

MR. N. KUMARAN (*Nominated*): Does he say that his difficulty is in the matter of getting suitable sites?

MR. A. J. VAN ROSS (*Excise Commissioner*): Yes. Wherever we turn, there is a church or a school or some public office. We find it very difficult to adhere to the rule of 'two furlongs.'

MR. N. KUMARAN (*Nominated*): From the fact that Mr. Van Ross finds it very difficult to get suitable sites where the shops could be shifted, does it not follow that the people of most localities are against the location of shops anywhere near them?

MR. A. J. VAN ROSS (*Excise Commissioner*): It does not necessarily follow from that.

There is also another danger in regard to the location of the shops. If in the Trivandrum town we have about 10 arrack shops yielding on the whole about Rs. 50,000, on an average each shop may be said to yield about Rs. 5,000. If we abolish all these shops and allow one shop in

some convenient locality, that will be more dangerous to the public than having ten shops in ten different localities, because that one shop will become a very big shop and naturally, it will be located in a decent building. Even respectable people will be tempted to resort to that shop. They can easily go into such gin saloons, as they are called in America, while, in the present shops, (which are mostly located in miserable huts) none of the respectable men will dare to enter, for purposes of drink; and if at all they enter, they will do it only late at night. At any rate, they will try their best to avoid the present shops. When we reduce the number of shops in a particular locality, we are making the remaining shops very attractive and this is undesirable from a temperance point of view.

MR. N. V. JOSEPH (Parur): Are these shops located with a view to regulate drink or with a view to see that they are not located near public places?

MR. A. J. VAN ROSS (Excise Commissioner): Both these points are taken into consideration in regard to the location of shops.

I can assure Mr. Joseph that wherever there is a genuine complaint, we will do all that is possible to relieve it.

MR. C. N. TUPPAN NAMPUTIRI (Jennies): സർ, മദ്യപാനം ഗുണത്തെയോ ദോഷത്തെയോ ചെയ്യുന്നത്?

MR. A. J. VAN ROSS (Excise Commissioner): രണ്ടും ഉണ്ട്. എല്ലാസാധനങ്ങളും ഉപയോഗിക്കേണ്ട ക്രമത്തിന് ഉപയോഗിച്ചാൽ ദോഷമുണ്ടാകുകയല്ല. ഗുണമായിട്ടേ വരികയുള്ളൂ.

MR. C. N. TUPPAN NAMPUTIRI (Jennies): ഇപ്പോൾ മുൻകൊല്ലത്തോ അപേക്ഷിച്ചു കൂടുതൽ മുതലെടുപ്പു വന്നിട്ടുള്ളതായിട്ടാണു കാണുന്നത്. അതു മിതമായിട്ടുപയോഗിച്ചതിന്റെ ഫലമാണോ, അതല്ല കൂടുതലായിട്ടുപയോഗിച്ചതിന്റെ ഫലമാ?

MR. A. J. VAN ROSS (Excise Commissioner): കൂടുതലായിട്ടുപയോഗിച്ചതിന്റെ ഫലമല്ല. കൂടുതൽ നികുതി ഏർപ്പെടുത്തിയതിന്റെ ഫലമാണ്. മദ്യപാനം കുറഞ്ഞാണു വരുന്നത്.

MR. K. I. JOSEPH (Minachil cum Devicolum): Does the Excise Commissioner assure that the shops will not be located in places where the people are against it?

MR. A. J. VAN ROSS (Excise Commissioner): Wherever there is a genuine complaint, real hardship, I can assure the member that I will look to it and try my best to relieve it.

MR. K. I. JOSEPH (Minachil cum Devicolum): Will Mr. Van Ross kindly explain the meaning of the word 'genuine' and how the genuineness, or otherwise, of the complaints, is to be ascertained?

MR. A. J. VAN ROSS (Excise Commissioner): Unfortunately, there are several cases in which such complaints are being engineered by

[Mr. A. J. Van Ross.]

particular individuals who have their own motives in doing so. For instance, in the case of the shop, particularly referred to by Mr. Joseph, I am informed, as a result of my enquiry, that the complaint has been engineered by one man who was having the shop last year and who did not get it this year. I am told that the whole agitation has been engineered by him. There are several other cases like this. It is not therefore quite safe to act according to these complaints.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): Is he not willing to act on the *prima facie* grounds given in the representations made to him?

MR. A. J. VAN ROSS (*Excise Commissioner*): I am prepared to inspect the localities and do all that I can to relieve the people from any hardship.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): Is he prepared to act on the *prima facie* reasons that are given in the representations made to him, or does he want to go into the motives of particular individuals?

MR. A. J. VAN ROSS (*Excise Commissioner*): I do not quite follow the member. I have already said that, wherever I find a genuine case of hardship, I am prepared to give as much relief as possible.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): He has not yet explained the meaning of the word 'genuine'.

MR. A. J. VAN ROSS (*Excise Commissioner*): There must be proper grounds for complaint; that is the idea.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): May I know whether the Excise Commissioner is prepared to act on representations made by responsible persons in the localities concerned?

MR. A. J. VAN ROSS (*Excise Commissioner*): Certainly, I will give great weight to the representation made by responsible persons.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): The question is not about the weight that he is prepared to give to these representations. My question is whether the Excise Commissioner is prepared to assure us that he will not locate shops in places where responsible persons in the locality represent that the people of the place are against it.

MR. A. J. VAN ROSS (*Excise Commissioner*): Suppose five responsible persons are *against* the location of the shop, while five others are *for* it. What am I to do under such circumstances?

MR. K. I. JOSEPH (*Minachil cum Devicolam*): I think the opinion of the majority should be taken.

MR. A. J. VAN ROSS (*Excise Commissioner*): I can assure the member that, wherever I am convinced that there is real grievance, I shall render all relief possible.

MR. K. I. JOSEPH (*Minachil cum Devicolam*): May I know from the Excise Commissioner the method that he is going to adopt to find out whether the grievance complained of is genuine or not?

MR. A. J. VAN ROSS (*Excise Commissioner*): It is difficult to go into these details. Wherever I am satisfied as to the genuineness of the complaint, I shall do all that is possible. I can give that assurance to the member.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): In the light of the explanation given by the Excise Commissioner, I withdraw the motion. The motion was, by leave of the House, withdrawn.

Motions 179 and 180.

The following motions were not moved:—

MR. K. K. THOMAS:

179. To reduce the allotment of Rs. 46,875 for Division Offices by Re. 1.

MR. K. K. THOMAS:

180. To reduce the allotment of Rs. 3,38,338 for Excise by Re. 1.

Motion 181.

The following motion was deemed not to have been made as the member was absent:—

MR. K. P. NILAKANTA PILLAI:

181. To reduce the allotment of Rs. 3,38,338 for Excise by Rs. 10.

Motions 182 and 183.

The following motions were not moved:—

MR. K. I. JOSEPH:

182. To reduce the allotment of Rs. 3,38,338 for Excise by Rs. 100.

5 A. CUSTOMS.

MR. G. RAMAN MENON:

183. To omit the allotment of Rs. 684 for motor boat staff.

Motion 184.

MR. K. K. THOMAS (*Kottayam*): Sir, I beg to make the following motion:—

184. To reduce the allotment of Rs. 78,106 for Customs by Re. 1.

In the general discussion on the budget, this year, as well as last year, attention has been drawn by me to the fact that the export duty on cocoanut products is rather high. The cocoanut industry is now the main industry of the people of Travancore. On account of the competition of other countries like Ceylon and the Philippines, as also the competition of the African palm oil, it has to be feared that our cocoanut industry may suffer. It has also been pointed out that the tax on the cocoanut gardens is much above the land tax on other kinds of lands. Taking the average to be 100 trees per acre and calculating the tax per acre at 2 chs. per tree, it is found that the tax, in regard to cocoanut gardens, comes to about Rs. 7 per acre, while for rubber, tea and other products which are considered to be more paying than cocoanuts, the land tax is only Rs. 2 and Re. 1 per acre, respectively. In view of the impetus that has to be given to this industry which has been, on account of the devastating pests and several economic causes, showing signs of decay, I request the Government to consider whether the duty that is at present levied on the cocoanut products is equitable. I understand that the present tariff values were fixed just before the war when the prices of cocoanut products had run

[Mr. K. K. Thomas.

up very high. The tariff value has been fixed at Rs. 122 per candy of 600 lbs. The indigenous copra that is manufactured in this country, which is classed only as second class copra called the "*vet'imuna*" or "*rasi*", has always been sold much below this price. The price has been varying, for ever so many years, between Rs. 85 and Rs. 100.

MR. A. J. VAN ROSS (*Excise Commissioner*): It has been varying between Rs. 95 and Rs. 100.

MR. K. K. THOMAS (*Kottayam*): It has gone down to Rs. 85 also in some years. I hope that the Excise Commissioner himself will concede the fact that the rate fixed at present is far in excess of the amounts realised by the producers. The value, as at present fixed, is about Rs. 25 or Rs. 30 higher than the actual value realised. Under these circumstances, I request the Government to be good enough to consider whether, with a view to encourage this industry or with a view to give it a prop which is absolutely necessary for it at present, it will not be advisable to reduce the rate of tariff value so that it may at least be in keeping with the amount actually realised by the cultivator. With these words, I propose the reduction of one rupee out of the total allotment of Rs. 78,100 for Customs.

MR. A. J. VAN ROSS (*Excise Commissioner*): I must agree with the member in thinking that there is a disparity between the tariff value and the market value of copra and other cocoanut products. This disparity arose by reason of the fall in the price of these articles due to Germany keeping out of the trade. In the pre-war days, Germany was a large consumer of copra, especially for the manufacture of butter and other things. Germany having gone out of the market on account of the war, the price of copra fell and I was waiting with very great interest to see whether the market will not improve. After the close of the war, knowing that Germany was reviving its industrial activities, I was waiting to see whether the price of copra would not improve. But I found that it was not improving at all. As the market price now stands much lower than the tariff value, I have placed the matter before the Government and am expecting early orders on the matter. The matter has been brought to the notice of the Government and it is under their consideration. I expect the orders of Government soon after the Council Session closes.

MR. K. K. THOMAS (*Kottayam*): I take it that, according to the Excise Commissioner himself, the export duty has to be reduced. I have therefore nothing more to say. I am prepared to withdraw the motion if no other member wants to speak on it.

MR. A. J. JOHN (*Vaikom*): Sir, the system of land customs prevailing in some places bordering on the Cochin territory is working much hardship to the people of those places. I refer to places like Kandanad in the Vaikam taluk, which is surrounded on three sides by the Cochin territory. The people of Kandanad are not allowed free-passes

to carry on their cocoanut products to the interior of the country. The people of Kandanaḍ are obliged to get free passes if they want to carry their cocoanut products to the interior of the country. They find it very difficult to carry on their trade.

MR. A. J. VAN ROSS (*Excise Commissioner*): How old is his information on this matter? Is it very recent?

MR. A. J. JOHN (*Vaikom*): Yes, very recent; I am speaking on information that I got on 24-10-1101. I therefore request the Government to see that the people of Kandanaḍ and other such places should be given free passes and should be allowed to carry on their trade without difficulty. With these observations, I support the motion.

MR. K. K. THOMAS (*Kottayam*): The export duty on raw products, especially in the case of those products in the trade in which there is competition, has generally to be reduced, so that the producer may find it worth while to continue his trade. After hearing Mr. Van Ross and after having come to understand that he has taken a sympathetic attitude in the matter and has reported to the Government recommending the reduction of the export duty on copra and other products, I do not think there is any need in continuing the discussion.

MR. A. J. VAN ROSS (*Excise Commissioner*): In regard to the observations of Mr. John, I may tell him that the Land Customs Rules, in the area which he has referred to, do not permit a man to load dutiable goods in *valloms* unless he has previously taken out a manifest. But now owing to the diversion of trade routes and trade centres, it has become necessary for a good deal of dutiable articles to be taken inland. In former days, the presumption was that a man who loads goods in *valloms* especially if most of his goods happen to be dutiable articles, wants to take them to Cochin. There was a good deal of smuggling in those days. Therefore the rule was that, if any man wanted to load dutiable goods in *valloms*, he should take previously the necessary manifest which would assure the department that the goods would be brought for the levy of duty. But now the conditions are changed and we are also changing with the rules. I have sent instructions to the Assistant Excise Commissioner there, to give the merchants permission in the case of goods that are to be taken to the interior parts of the country like Kuttiaṭodu and other places. Safeguards are absolutely necessary to prevent smuggling. The moment the merchants understand that we are not having a vigilant watch over them, they take the goods to Cochin.

MR. A. J. JOHN (*Vaikom*): Is Mr. Van Ross sure that his subordinates in those places are actually carrying out his instructions in practice?

MR. A. J. VAN ROSS (*Excise Commissioner*): I have not had any complaint so far. If cases in which my instructions are not carried out are brought to my notice, I shall investigate them and do the needful.

MR. K. K. THOMAS (*Kottayam*): In the light of the Excise Commissioner's explanation, I beg to withdraw the motion.

The motion was, by leave of the House, withdrawn.

Motion 185.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): Sir, I beg to move the following motion:—

•185. To reduce the allotment of Rs. 78,100 for customs by Rs. 10.

As stated in the printed papers, the object of my motion is simply to suggest to the Government the levy of import duty on petrol. At the time of the general discussion on the budget, the Excise Commissioner stated that there are practical difficulties in the matter of levying import duty on petrol. Anyhow, in the light of the fact that this House is for the abolition of the toll system, the matter deserves careful attention on the part of the Government. It is a matter in which the Government are more *directly* interested than the people themselves. Therefore, I do not think it necessary to speak much by way of explanation. My only point is that, if not in the shape of import duty, at least by means of some sort of license system, petrol may be charged. If petrol is charged, people are not likely to feel it troublesome as in the case of tolls. The matter, therefore, deserves the serious consideration of the Government. I simply wanted to make this suggestion. I am prepared to withdraw this motion even without any explanation from the Excise Commissioner.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I think Mr. Van Ross is entitled to reply.

PRESIDENT: Yes.

MR. A. J. VAN ROSS (*Excise Commissioner*): The idea of imposing an import duty on petrol has been suggested so that it may take the place of the abolished toll. Even if it were possible, it will only be a partial remedy, since, besides motor vehicles, there are also other kinds of vehicles which cannot be charged in any manner after the abolition of tolls. Moreover, in the case of petrol, under the treaty with the British Government, we cannot impose any duty on articles coming from British India except tobacco, salt and liquor. In fact, no petrol is imported by sea. On the articles imported by sea, we have a right to collect duty; but petrol is mainly imported by land. As a matter of fact, the whole of the petrol consumed in Travancore is coming from British India. At present, we are not in a position to do anything with regard to petrol. It is a matter entirely left to the Government to see whether they can negotiate with the British Government and modify the present agreement with them in this matter at least. That is all I have to say.

MR. K. I. JOSEPH (*Minachil cum Devicolum*): I withdraw the motion.

The motion was, by leave of the House, withdrawn.

Motion 186.

The following motion was deemed not to have been moved as the member was absent:—

MR. A. K. PILLAI:

186. To reduce the total allotment of Rs. 5.15 lakhs under Demand V by Rs. 10.

Motion 187.

The following motion was not moved:—

MR. G. RAMAN MENON:

187. To reduce the total allotment of Rs. 5.15 lakhs under Demand V by Rs. 10.

Motion 188.

The following motion was deemed not to have been moved as the member was absent:—

MR. T. KUMARA PILLAI :

188. To reduce the total allotment of Rs. 5.15 lakhs under Demand V by Rs. 100.

The question that Rs. 5.15 lakhs under Demand V—Excise be granted was then put to the vote of the House and carried.

The grant was made.

DEMAND VI—FOREST—Rs. 7.83 LAKHS.

MR. R. DHANUKOTI PILLAI (*Conservator of Forests*): Sir, I rise to move for a grant not exceeding Rs. 7.83 lakhs under Demand VI—Forest.

6 A. FOREST—CONSERVANCY AND WORKS.

Motion 189.

The following motion was not made:—

MR. K. K. THOMAS :

189. To reduce the allotment of Rs. 5,50,500 for Conservancy and Works by Re. 1.

6 B. FOREST—ESTABLISHMENT.

Motion 190.

MR. K. I. JOSEPH (*Minackil cum Devicolum*): Sir, I beg to move the following motion:—

190. To reduce the allotment of Rs. 200 for temporary clerks by Re. 1.

As is stated in the printed papers, my only object is to elicit information as to how these arrears accumulated. If it was due to negligence on the part of the clerks concerned, it is a matter for this House to consider seriously. I only want to know from the Conservator of Forests the cause of these arrears.

MR. R. DHANUKOTI PILLAI (*Conservator of Forests*): As I have already informed the House, from 1086 onwards, we have not been making regular payments in regard to *kudivila*. One of the chief causes was that, while the felling of royal trees from private holdings, on a large scale, was ordered in 1086, sufficient arrangements were not then made for the prompt settlement of *kudivila* claims. The result was an accumulation of all these claims. Some years later, we attempted to clear off these arrears and started work earnestly. Then, one or two cases cropped up on account of the hurried way in which these claims were settled in our anxiety to clear off the large volume of arrears. There was a case of defalcation in which a sum of Rs. 11,000 and odd was received from the Treasury under false pretences. This was mainly because, in our hurry to clear off the arrears, we were not in a position to investigate the numerous claims carefully. It was also found later that the staff was not adequate for the purpose. Moreover, there was also a lot of confusion in the way in which the accounts were kept. As a result of all this, the claims accumulated to such an extent that we have now to pay nearly 3 lakhs of rupees by way of *kudivila*. In view of the several representations that were made both in the Assembly and in